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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,511	05/16/2001	Chieh-Sheng Chen	3722-0105P	9432

2292 7590 07/07/2004

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EXAMINER

LE, LANA N

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 07/07/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/855,511

Applicant(s)

CHEN ET AL.

Examiner

Lana N Le

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1 is/are rejected.
7) ☒ Claim(s) 2 and 3 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 05/16/01 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Oath/Declaration

2. The supplementary declaration filed 07/24/01 has been received and placed of record in the file.

Priority

3. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Taiwan on 03/26/01. It is noted, however, that applicant has not filed a certified copy of the foreign application as required by 35 U.S.C. 119(b).

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on 10/28/03 has been received and placed of record in the file. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

5. The title of the invention is not descriptive. A suggested title is "An apparatus for Power Controlling in a Transmitter". A new title is required that is clearly indicative of the invention to which the claims are directed.
6. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The

Art Unit: 2685

disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure contains the word --disclosed-- stated in line 2 of abstract before ---. The power controller--- and after ---coupler is----. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8. Claim 1 is rejected under 35 U.S.C. 102(a) as being anticipated by the admitted prior art.

Regarding claim 1, the admitted prior art (figure 1) discloses a power controller (100, 170) for receiving emission signals and outputting to an antenna 190, comprising: a plurality of stage amplifiers (110, 120, 130) for receiving the emission signals and amplifying the power thereof (specification in description of related art section; page 1, lines 14-23);
a plurality of matching circuits (140, 141, 142) connected between the stage amplifiers (110, 120, and 130) for matching with the stage amplifiers, respectively; (specification in description of related art section; page 1, lines 10-23);

Art Unit: 2685

at least one power detector 170 for detecting the power of the stage amplifiers and generating detection signals, respectively; (specification in description of related art section; page 2, lines 1-4); and
a bias control circuit (150, 151) for receiving the detection signals of the at least one power detector 170, thereby generating a bias (APC1, APC2) of each of the stage amplifiers in order to optimize the efficiency of each of the stage amplifiers according to the magnitude of the power of each of the stage amplifiers (page 1, line 19 - page 2, line 18). The above portion states that an amplifier possesses high efficiency at high power output since the claims do not require that the amplifier possesses high efficiency at low output, the admitted prior art reads on the claim language.

Allowable Subject Matter

9. Claims 2-3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 2, the admitted prior art discloses the power controller according to claim 1. However, the cited prior art fails to further disclose the bias control circuit comprises a comparator, thereby outputting a bypass control signal when the power controller is disabled.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Yoshimura et al (US 6,396,879), Transmission Power Controller and Transmission Power Control Method.

-Tanaka (US 2001/0023177), Radio Telephone Apparatus.

-Ichikawa (US 6,532,357), Radio Communication Device and Transmission Power Control Method for Radio Communication Device.

-Fujioka et al (US 6,366,788), Mobile Telephone System.

-Nitta et al (US 6,240,279), Transmission Power Control Apparatus and A Radio Communication Apparatus Including the Transmission Power Control Apparatus.

-Kobayashi et al (US 5,574,993), Mobile Communication Apparatus and Method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lana Le whose telephone number is (703) 308-5836.

The examiner can normally be reached on M-F 10-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (703) 305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2685

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Lana Le', with a stylized flourish at the end.

Lana Le

June 14, 2004